

## United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Robert M. Dow, Jr.	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	08 C 1409	DATE	May 20, 2008
CASE TITLE	Trevino v. U-Haul Co. of Illinois, Inc., et al.		

## DOCKET ENTRY TEXT

Defendants' motion to reassign case number 08-cv-2255 [20] as related to 08-cv-1409 is granted. Defendants' responses to Plaintiff Ida Trevino's motion to remand in case number 08-cv-2255 [14] are due on 6/6/08; reply in support of motion to remand is due on 6/16/08. The Court will issue a ruling by mail and set a date for further status at that time.

■ [ For further details see text below.]

Docketing to mail notices.

## STATEMENT

The Court has before it the motion to reassign related case number 08-cv-2255 [20] filed by Defendants U-Haul Company of Illinois, Inc. and U-Haul International, Inc., along with the response in opposition [27], and reply in support [31]. There is no dispute that the lawsuits in case number 08-cv-1409 (currently pending in this Court) and in case number 08-cv-2255 (currently before Judge Gettleman) assert, on behalf of different plaintiffs, substantially similar claims arising out of the same vehicular accident. The lower-numbered case is brought by the decedent's parents; the higher-numbered case is brought by his surviving spouse and minor children. Because the proposed theories of recovery and anticipated defenses are indistinguishable, reassignment of the related cases to bring them before the same judge is warranted as a matter of judicial economy, particularly at this early stage of both cases.

The only potentially complicating factor is the pendency of a motion to remand that has been filed in case number 08-cv-2255. Obviously, if that motion is granted, the higher-numbered of the two cases will return to state court and only the lower-numbered case will remain in federal court. But which federal judge resolves that motion does not bear on the suitability of these matters for resolution before a single judge, and the interests of judicial efficiency and economy would appear to be at least marginally advanced by having all matters concerning these two cases heard by a single federal judge, even if the involvement of the federal courts in case number 08-cv-2255 comes to an end with the ruling on the remand motion. If the remand motion is denied, the conditions for reassignment and disposition before one judge are clearly met; if the remand motion is granted, the relatedness of the cases is a moot issue, because this Court will no longer have jurisdiction over case number 08-cv-2255. Finally, the Court notes that notwithstanding the fact that the motion for reassignment may have been brought sooner than "generally" anticipated under Rule 40.4, the factors for and against reassignment have been thoroughly presented and considered based on the oral and written presentations of the parties.

**STATEMENT**

For all of these reasons, the motion to reassign related case number 08-cv-2255 [20] is granted. Defendants' responses to Plaintiff Ida Trevino's motion to remand in case number 08-cv-2255 [14] are due on 6/6/08; reply in support of motion to remand is due on 6/16/08. The Court will issue a ruling by mail and set a date for further status at that time.

A handwritten signature in black ink, appearing to read "Nelson", is centered on the page. The signature is fluid and cursive, with a long, sweeping tail that extends to the right.